



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB2061

Introduced 2/14/2005, by Rep. Michael J. Madigan - Barbara Flynn Currie - Robert S. Molaro

SYNOPSIS AS INTRODUCED:

720 ILCS 5/33-5

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning chain of custody.

LRB094 03375 RLC 33376 b

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by changing
5 Section 33-5 as follows:

6 (720 ILCS 5/33-5)

7 Sec. 33-5. Preservation of evidence.

8 (a) It is unlawful for a law enforcement agency or an agent
9 acting on behalf of the ~~the~~ law enforcement agency to
10 intentionally fail to comply with the provisions of subsection
11 (a) of Section 116-4 of the Code of Criminal Procedure of 1963.

12 (b) Sentence. A person who violates this Section is guilty
13 of a Class 4 felony.

14 (c) For purposes of this Section, "law enforcement agency"
15 has the meaning ascribed to it in subsection (e) of Section
16 116-4 of the Code of Criminal Procedure of 1963.

17 (Source: P.A. 91-871, eff. 1-1-01; 92-459, eff. 8-22-01.)